

IT IS SO ORDERED.

April 22, 2011

s/David D. Dowd, Jr.

U.S. District Judge

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

JOHN ZIDIAN COMPANY, INC., :

Plaintiff, :

v. :

CVS CAREMARK CORPORATION, :

Defendant. :

CIVIL ACTION NO. 4:10-cv-2347

(Judge David D. Dowd, Jr.)

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to and in accordance with Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, it is hereby stipulated by and between Plaintiff John Zidian Company, Inc. and Defendant CVS Caremark Corporation that the above-entitled action be and hereby is dismissed **with prejudice**. Court costs shall be taxed to Plaintiff.

/s/ Stuart A. Strasfeld

Stuart A. Strasfeld (0012399)
100 Federal Plaza East, Suite 600
Youngstown, OH 44503
Telephone: (330) 744-5211
Facsimile: (330) 744-3184
Attorney for Plaintiff

/s/ Stephen H. Jett

Stephen H. Jett (0046821)
Taft Stettinius & Hollister LLP
200 Public Square, Suite 3500
Cleveland, OH 44114
Telephone: (216) 241-2838
Facsimile: (216) 241-3707
Attorney for Defendant